IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION
Dated: Nainital April 05th, 2006
Criminal Misc. Bail Application No. 229 of 2006
Order on the bail application of accused

CRIMINAL SIDE

Idreesh Ahmad S/o Asraf Khan @ Akhtar
R/o Jainulaudden @ Jalaluddin
Village & Police Station Afjalgarh
District Bijnore .....Applicant

Versus

State of Uttaranchal ...Opposite Party.

Arising out of Case of Crime No. 1090/2005
(Under Sections 302, 364, 201 IPC
Police Station-Kashipur
District U.S. Nagar.

Hon'ble J.C.S. Rawat, J.

Heard Sri A.S. Gill, learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. There is no other evidence against the applicants-accused except the evidence of Rafik, who has stated that he saw one-Saleem and other person beating and dragging a person who is alleged to be a thief. I was contended that the said witness has not identified the accused persons. There is no eye-account against the present applicant. The case of the present applicant is different from the accused Saleem. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C.S. Rawat, J.)

Dated 05.04.2006
LSR